IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELALTE SIDE

APPEAL FROM ORDER NO.822 OF 2005

Shubhangi Hariprasad Bhavsar. ...Appellant.
Vs.
Dhanshri Construction & Developers & Ors. ...Respondents.
....
Mr. Mandar Limaye for the Appellant.
.....

CORAM : DR.D.Y.CHANDRACHUD, J.

November 14, 2005.

P.C.:

The Learned Trial Judge has, in his order dated 18th June 2005, come to the conclusion that a case for attachment before judgment under Order 38 Rule 5 of the Code of Civil Procedure, 1908, has not been established. I have perused the contents of the application, more particularly, paragraphs 3 and 4 thereof. The averments contained therein, in my view, do not contain ingredients required to be set up in order to justify the relief of attachment before judgment. The order of the Learned Trial Judge does not warrant interference. The appeal is dismissed. However, it is open to Appellant to apply before the Learned Trial Judge for expedited disposal of the suit.